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April 23, 2004

Jeff S. Jordan
Office of the General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 5440

Dear Mr. Jordan:

This letter is in response to your letter notifying my clients, James Roush and Cynthia Wayburn, that a complaint had been filed against them with the Federal Election Commission and asking for a response to that complaint.

Mr. Roush and Ms. Wayburn made contributions to Victory Campaign 2004 ("VC04") relying on the assurances of VC04 that its activities, and their contribution, were in complete compliance with all federal campaign finance laws, including the Bipartisan Campaign Finance Reform Act. Because their contributions to VC04 are protected by the First Amendment to the United States Constitution, the complaint appears to be designed simply to chill Mr. Roush's and Ms. Wayburn's exercise of their fundamental First Amendment rights.

If you or the Commission have further questions, please feel free to contact me.

Very truly yours,

Davis Wright Tremaine LLP

Bruce E. H. Johnson

BEHJ:tr
Enclosures

cc: Mr. G. James Roush
Ms. Cynthia Wayburn

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2004 APR 28 11:10:25

27044180424

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each respondent.

MUR 5440

NAME OF COUNSEL: Bruce E.H. Johnson

FIRM: Davis Wright Tremaine LLP

ADDRESS: 2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101

TELEPHONE: (206) 628-7683

FAX: (206) 628-7699

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

G. JAMES ROUSH

4-21-04

Date

G. James Roush

Signature

Title

RESPONDENT'S NAME: G. James Roush

ADDRESS: P.O. Box 3123
Bellevue, WA 98009

TELEPHONE:

27044180425

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each respondent.

MUR 5440

NAME OF COUNSEL: Bruce E.H. Johnson

FIRM: Davis Wright Tremaine LLP

ADDRESS: 2600 Century Square
1501 Fourth Avenue
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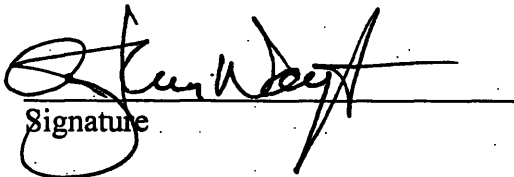
FAX: (206) 628-7699

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

CYNTHIA WAYBURN

4-21-04

Date


Signature

Title

RESPONDENT'S NAME: Cynthia Wayburn

ADDRESS: P.O. Box 546
Bellevue, WA 98009

TELEPHONE:

27044180426